

United States District Court

WESTERN DISTRICT OF WASHINGTON

KENNETH M. SUTTON

JUDGMENT IN A CIVIL CASE

v.

STATE OF WASHINGTON

CASE NUMBER: C08-5358RBL

____ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

The Court adopts the Report and Recommendation;

Petitioner's pending motions, if any, are DENIED; and

Petitioner's federal habeas petition is DISMISSED without prejudice.

____ September 23, 2008
Date

____ BRUCE RIFKIN
Clerk

____ *s/CM Gonzalez*
Deputy Clerk